

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

KINERA LOVE,

Plaintiff,

VS.

**DOLLAR GENERAL
CORPORATION,
d/b/a DOLGENCORP, INC.**

Defendant.

CIVIL ACTION NO.:

3:06-CV-1147-MHT

RULE 26 REPORT OF PARTIES' PLANNING MEETING

1. **Appearances.** On **February 12, 2007**, the parties' planning meeting was held via telephone and was attended by:

Lateefah Muhammad for the Plaintiff, and

Ryan M. Aday for the Defendant

2. **Pre-Discovery Disclosures.** The parties will exchange by **March 30, 2007**, the information required by FRCP 26 (a)(1).

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects:

1. All information pertaining to Plaintiff's claims and damages;

2. The Defendant's defenses.

- b. All discovery must be commenced in time to be completed by **February 15, 2008**.
- c. There will be a maximum of 30 interrogatories, including discrete subparts, by each party to any other party. The responses will be due 30 days after service, unless served by mail in which responses will be due 33 days after service.
- d. There will be a maximum of 30 requests for production of documents, including discrete subparts, by each party to any other party. The responses will be due 30 days after service, unless served by mail in which responses will be due 33 days after service.
- e. There will be a maximum of 25 requests for admission, including discrete subparts, by each party to any other party. The responses will be due 30 days after service, unless served by mail in which responses will be due 33 days after service.
- f. The parties agree that no more than 8 depositions may be taken by a party without leave of court or agreement of the parties, with a maximum time of eight hours per deposition, unless extended by agreement of parties.
- g. **CONTENTION** - Defendants contend that reports from retained experts under Rule 26(a)(2) will be due from the Plaintiff by **July 16, 2007**, and from the Defendant by **August 24, 2007**. Plaintiff contends that reports from retained experts under Rule 26(a)(2) will be due from the Plaintiff by **November 12, 2007**, and from the Defendant by **December 28, 2007**.
- h. **CONTENTION** – Defendant contends that supplementation of the core disclosures under Rule 26(e) will be due 30 days after the date the party learns that the information previously provided is incomplete or incorrect and not later than 45 days

prior to the discovery cut-off established by the parties, subject to good cause being shown. Plaintiff contends that same shall be due on **December 21, 2007**.

4. **Other Items.**

a. **Scheduling Conference:** The parties do not request a scheduling conference with the court before entry of the scheduling order.

b. **CONTENTION- Additional Parties, Claims and Defenses:** Defendant contends that Plaintiff must join additional parties and amend the pleadings by **July 16, 2007**, and that Defendant will have until **August 17, 2007**, to join additional parties or defenses. Plaintiff contends that Plaintiff must join additional parties and amend the pleadings by **October 15, 2007**, and that Defendant will have until **November 15, 2007**, to join additional parties or defenses.

c. **Dispositive Motions:** All potentially dispositive motions must be filed by **January 11, 2008**.

d. **CONTENTION - Settlement:** Defendant contends that settlement and the possibility for mediation cannot be evaluated until discovery has begun. Plaintiff contends that any mediation of this case must be scheduled no later than **February 22, 2007**.

e. **Pretrial Conference:** The parties request a final pretrial conference 30 days before trial.

f. **CONTENTION - Trial Evidence:** Defendant contends that the final list of witnesses and trial evidence under Rule 26(a)(3) should be exchanged by **April 2, 2008**. Plaintiff contends that the final list of witnesses and trial evidence under Rule 26(a)(3) shall be due from Plaintiff by **April 2, 2008**, and from Defendant by **April 14,**

2008. The parties agree that each shall have fourteen (14) days after service of final witness lists to file objections under Rule 26(a)(3).

g. Trial Date: The case should be ready for trial by **May 12, 2008**, and is expected to last a minimum of three days.

Dated: February 12, 2007

Respectfully submitted,

/s/ Lateefah Muhammad
Lateefah Muhammad, Esq.
Attorney at Law, P.C.
P.O. Box 1096
Tuskegee Institute, Alabama 36087
Phone: (334) 727-1997
lateefahmuhammad@aol.com

Attorney for Plaintiff

/s/ Ryan M. Aday
Christopher W. Deering, Esq.
Ryan M. Aday, Esq.
**Ogletree, Deakins, Nash,
Smoak & Stewart, P.C.**
One Federal Place, Suite 1000
1819 Fifth Avenue North
Birmingham, Alabama 35203
Telephone: (205) 328-1900
Facsimile: (205) 328-6000
christopher.deering@odnss.com
ryan.aday@odnss.com

Attorneys for Defendant